

REMARKS/ARGUMENTS

Claims 1, 2, 4-17, and 19-28 are pending.

Claim Rejections Based on Prior Art:

In responding to the Examiner's prior art rejections, the Applicants here only justify the patentability of the independent claims (1, 11, 17, and 23). As the Examiner will appreciate, should these independent claims be patentable over the prior art, narrower dependent claims would also necessarily be patentable. Accordingly, the Applicants do not separately discuss the patentability of the dependent claims, although it reserves the right to do so at a later time if necessary.

Claims 1 and 17 have been rejected for obviousness (35 U.S.C. § 102(e)) given the combination of U.S. Patent Application Publication 2004/0122570 ("Sonoyama") with U.S. Patent Application Publication 2005/0234622 ("Pillar").

Claims 11 and 23 have been rejected for obviousness (35 U.S.C. § 103) given the combination of Sonoyama, Pillar, and U.S. Patent Application Publication 2003/0033413 ("Willson").

Claim 1:

Claim 1 has been amended to respectively include the limitation of dependent claim 3 (now canceled).

The Examiner opined that the limitation in claim 3— "wherein the communication system operates such that the local communication device synchronizes service records with the vehicle"—was disclosed in Sonoyama, citing to paragraph [0024] of that reference. But this paragraph from Sonoyama, quoted below, does not disclose this limitation:

"It is preferable that the automated guided vehicle of the present invention refers to and timely obtains information needed for running of the automated guided vehicle, which is stored in the external device or in another automated guided vehicle, by itself via the wireless local area network adapter, and that running control is conducted by itself based on the obtained information."

Sonoyama, ¶ [0024]. This paragraph talks about how Sonoyama's automated guided vehicle must obtain information necessary for it to run. This disclosure does **not** teach "synchronize service record with the vehicle," i.e., does not involve retrieval of any sort of service history for the vehicle in question. Moreover, the limitation specifies that the **local communication device** is what does the synchronizing, i.e., the portion of the communication system external to the vehicle. By contrast, Sonoyama's paragraph [0024] talks about retrieval of information by the **vehicle**, which is different.

When this is understood, is it clear that Sonoyama does not disclose the limitation "wherein the communication system operates such that the local communication device synchronizes service records with the vehicle." Additionally, the Applicants cannot find this limitation in Pillar. Because neither Sonoyama nor Pillar disclose this limitation, then even if their combinability is assumed proper, these references cannot be used as the basis for an obviousness rejection because the combination lacks this limitation. See MPEP § 2143.

Claim 17:

Claim 17 has been amended to respectively include the limitation of dependent claim 18 (now canceled).

The Examiner never stated where this limitation in claim 18— "correlating the identification information with ownership information in a local database"—could be found in either Sonoyama or Pillar. However, as to claim 4, which recited a similar limitation dealing with ownership information, the Examiner cited to paragraphs [0037] and [0086] of Sonoyama. But these paragraphs from Sonoyama, quoted below, do not disclose this limitation:

"Furthermore, in the automated guided vehicle of the present invention, it is preferable that the information on start instructions or other messages passed with the external device or with another automated guided vehicle includes at least one selected from an identification number of the external device or of the another automated guided vehicle and a task identification number."

Sonoyama, ¶ [0037].

"Furthermore, the information on start instructions and other messages transmitted from the operation control unit 41 or the automated guided vehicle 1 include an identification number of the operation control unit 41

or a task identification number. Thus, the automated guided vehicle 1 etc. that received a message can check the identification number included in the message and confirm whether it is an authorized message to be received or an error message. In this way, processing of any error message from the network computer for ordinary work 43, which is connected to the LAN 44 but does not contribute to operation control, or from the automated guided vehicle 1 is prevented.”

Sonoyama, ¶ [0086]. These paragraphs disclose use of an “identification number” of a vehicle or of a control unit, but they do not disclose “correlating the identification information **with ownership information in a local database.**” In fact, these paragraphs disclose nothing concerning ownership information at all. In this regard, it is worth noting that when “identification information” and “ownership information” are specifically and separately claimed, it is obvious that Sonoyama’s disclosure of “identification numbers” cannot correspond to both of these limitations.

When this is understood, is it clear that Sonoyama does not disclose the limitation of “correlating the identification information with ownership information in a local database.” Additionally, the Applicants cannot find this limitation in Pillar. Because neither Sonoyama nor Pillar disclose this limitation, then even if their combinability is assumed proper, these references cannot be used as the basis for an obviousness rejection because the combination lacks this limitation. See MPEP § 2143.

Claims 11 and 23:

Claims 11 and 23 essentially claim, inter alia, a vehicle and a service station which can communicate with each other through a local area network (LAN) and through a wide area network (WAN). For example, claim 11 recites a vehicle having **both** a LAN transceiver **and** a WAN transceiver. Claim 23 recites, inter alia, “receiving vehicle identification information from the vehicle at the service station **over the LAN,**” and “receiving the results of the diagnostic [from the vehicle] at the service station **over the WAN.**” Thus, a vehicle/service station system using both LAN and WAN communications is specifically claimed.

The Examiner, in his analysis of these claims, appears to have completely overlooked this distinction. Instead, the Examiner’s analysis only discusses the disclosure of a WAN in the various references, without any additional discussion of where the separate LAN is disclosed in those references. See Office Action at pg. 5.

The fact is, none of the cited references (Sonoyama, Pillar, or Willson) disclose or suggest any sort of vehicle/service station system have dualistic communication capabilities involving a LAN and a WAN. This is not surprising, because none of these references discuss the use of two different communication networks in any context, let alone a vehicular context. Thus, even when taken together, the references lack this concept, and therefore lack specific limitations of the claims. Therefore, claims 11 and 23 are patentable over these references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Please charge any fees that may be due, including any excess claim fees, to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

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